

WESTWOOD NEIGHBORHOOD COUNCIL

May 11, 2016

Agenda Item #11

MOTION TO RECOMMEND MODIFICATION OF THE NC COMMUNITY STAKEHOLDER DEFINITION

(SORO – South Robertson Neighborhoods Council)

Full Proposal

Some years ago, the original definition of who qualified as a stakeholder in the Neighborhood Council system was changed by the City Council at the suggestion of the Neighborhood Council Review Commission (NCRC), a group chartered in 2007 to fine-tune the NC system.

The thinking was that the original “live, work or own property” definition tended to limit NC participation. In their final report, the NCRC said: “...because the neighborhood council democracy model is meant to reach more deeply into the community than traditional outreach models, the goal of diversity must be pursued aggressively.” They therefore recommended that it also include “those who declare a stake in the neighborhood and affirm the factual basis for it.”

Problems with the very broad “factual basis” definition became quickly apparent. Suddenly, anyone could vote in an NC election with as little proof as a receipt from a local coffee shop. Some NCs were taken over by outside groups who, in at least one case, bussed people in to vote for candidates who favored a particular development project.

In response, the Board of Neighborhood Commissioners (BONC) officially recommended/required that each council reserve one at-large seat for factual basis stakeholders. That a single token at-large seat was thought to be an acceptable and necessary compromise demonstrated how deeply flawed the language was.

In 2013, a new NC reform initiative again took up the issue of stakeholder definition. Of the three working groups, 2/3 proposed removing factual basis stakeholders all together. All three recommended allowing each NC to once again have a hand in defining their own stakeholders.

At the final meeting to find compromise language, a last-minute proposal (with little basis in the prior work of the groups) was put forward and adopted with little debate:

“Stakeholders” shall be defined as those who live, work or own real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council’s boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

This confusing syntax substituted the open-ended and un-verifiable “substantial and ongoing participation” for “declare a stake in the neighborhood” without defining “substantial” or “ongoing.” It did add a provision for being “in a community organization”—but here again, it did not define what being “in” meant and was so open-ended as to be meaningless. It was a marginal improvement, at best.

If the goal is to include non-residents who are nevertheless legitimately invested in the community, we have to have some verifiable measure of that activity. But that exercise is doomed to failure: it is impossible to craft language that would cover every eventuality.

Moreover, it’s debatable whether any of these changes were needed at all. Before the 2007 change, most NCs had expanded the basic stakeholder definition on their own, tailoring it to their community: in fact, a study before the definition change showed that 88% of NCs had broader-than-required stakeholder definitions. For example, SORO NC had created special seats for schools and community organizations.

The authors of the City Charter felt that Neighborhood Councils should be tailored to their own communities and stakeholders. The proposed language below allows Neighborhood Councils the opportunity to broaden the base stakeholder definition to suit their own particular needs and character. It does not preclude an individual Neighborhood Council from adding “community interest” stakeholders if they choose.

Proposed Motion

“To recommend to the Board of Neighborhood Commissioners and the Los Angeles City Council that the City administrative code be amended to define Neighborhood Council stakeholders as such:

Stakeholders shall be defined as those who live, work, or own real property within the Neighborhood Council boundaries. With the approval of the Department of Neighborhood Empowerment, Neighborhood Councils may— and are encouraged to— expand this definition within their bylaws to include other defined groups of stakeholders.”

Considerations

Arguments for:

Allows individual NCs to tailor an expanded stakeholder definition that best reflects their community. NCs are intended to be more inclusive. If you view “stakeholder” as someone who contributes to and benefits from the character of a community, a very broad definition makes sense.

Preserves the baseline “live, work, own property” definition—and so protects against any attempt to be too restrictive.

Provides clarity on who constitutes a stakeholder and avoids undue outside influence on NC elections.

Arguments against:

NCs are intended to be more inclusive. If you view “stakeholder” as someone who contributes to and benefits from the character of a community, a very broad definition makes sense.

Some NCs may only use the basic definition and thereby fail to reach important neighborhood constituencies.

While election abuses may exist, they are not as widespread or common as some suggest. Changing the definition for edge cases is overkill.